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APPLICATION NO.	FILING	DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,575	11/1:	2/2003	Frank L. Hall	4718.1US (00-0316.01/US)	6661
24247	7590	05/13/2004		EXAMINER	
TRASK BR				HEINRICH, SAMUEL M	
P.O. BOX 2550 SALT LAKE CITY, UT 84110				ART UNIT	PAPER NUMBER
SALT LAKE	CHY, UI	84110		1725	
				0.000	

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. THE MALLING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thitly (30) days, early while in the statistics reply and the considered timely. If the period for reply specified above is less than thitly (30) days, early while the statistic reply and the considered timely. If the period for reply specified above is the standardy period will apply of work of the period of the communication. If the period for reply specified above is the standardy period will apply of work of the standardy and of this communication. If the period of the communication of the standard period will apply and will reply selected by the communication. Any regly reclused by the Office later than throe months after the mailing date of the communication, even if threely filed, may reduce any sentence and selected by the standard period of the communication. This action is FINAL. 2a) This action is FINAL. 2b) This action is formation is condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-17 is/are pending in the application. 4) Claim(s) 1-17 is/are allowed. 6) Claim(s) 1-18 and 12-17 is/are rejected. 7) Claim(s) 1-18 and 12-17 is/are rejected. 7) Claim(s) 1-18 and 12-17 is/are rejected. 8) Claim(s) 1-18 and 12-17 is/are rejected to by the Examiner. 10) The drawing(s) filed on 12 November 2003 (share: a) accepted or by objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) Acknowledgment drawing sheet(s) including the correction is required if the drawing(s) is objected to Sea 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for for				
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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claim1-8 and 12-17, drawn to a semiconductor device, classified in class 428, subclass 209.
- II. Claims 9-11, drawn to an automolding system, classified in class 219, subclass 121.69.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the product can be made by a different process such as by chemical etching in place of the instant claimed laser etching.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with James Duzan on May 10, 2004 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-8 and 12-17. Affirmation of this election must be made by applicant in replying

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to this Office action. Claims 9-11 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 5,607,601 to Loper et al. See column 6, lines 62+ for a description of a laser etched semiconductor with a patterned resist film which anticipates Applicant's claimed article. The various methods and apparatus which Applicant uses to attempt to modify the article Claims 1 and 12 do not provide further structure to the claimed semiconductor device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel M Heinrich whose telephone number is 571-272-1175. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G Dunn can be reached on 571-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Samuel M. Herrich Samuel M Heinrich Primary Examiner Art Unit 1725